

NEWBURY PAPERS SURE TO BE FILED

Petitions May Be Turned In To-day, Regardless of Justice's Decision.

HE CAN DECLINE LATER

May Run Against Undermyer at Election Even if Not in Primaries.

One of the members of the committee of the bar, which has ready petitions designating Justice Joseph E. Newburger as a candidate for the Democratic nomination to succeed himself on the Supreme Court bench, said last night they would be filed with the Board of Elections to-day or to-morrow. This step will be taken regardless of whether or not Justice Newburger may decide to contest the nomination in the Democratic primaries with Irwin Undermyer, the thirty-three-year-old son of Samuel Undermyer.

"I believe that Justice Newburger owes it to himself and to the bar to make a fight in the Democratic primaries," this lawyer said, "but I intend to file his petition in order to show the sentiment that is back of him. He will have until August 15 to decline."

If Justice Newburger declines to run against Mr. Undermyer in the primaries, he will not be a candidate as a candidate against him in the regular campaign. Some of his friends are urging him to accept the Republican nomination and also be a candidate of a citizens committee.

William F. Schneider, County Clerk and the head and front of the Cleveland Democracy, who is talking of a five borough anti-Tammany bid, is sending the following message to Justice Newburger yesterday:

"Violation of the principle of freedom and integrity of the Supreme Court involved in resuming the office of Justice of greater moment to people of this judicial department than is the injustice you personally suffer."

"Prominent attorneys have called my attention to the fact that several of the Justices of the Supreme Court, whose terms expire in 1920, may be summarily refused renomination, because, if elected, they will be able to serve but part of the fourteen year term, and nominations in their stead will be given to unknown favorites."

"I am speaking for scores of men and women who deeply value the independence of the courts in urging that you, regardless of any personal inclinations, allow your name to be designated in the Democratic primary election for the place you have so long and ably filled upon the Supreme Court."

Reference made by the County Clerk was to Justice G. Warley Platteau, Charles L. Gray and Leonard A. Gleason, who if re-elected next year, when their terms expire, would have only four, six and five years respectively before reaching the age of 70, when they must automatically retire. Others of the Supreme Court in this department whose terms expire on December 31, 1919, are Justices Peter A. Hendrick, John Ford and Mitchell L. Eganberg. The former will be 62 years old next July and if re-elected would have only eight years to serve before involuntary retirement.

HELD FOR WHIPPING SON, 11.

G. M. Ehrhott Admits Using Whip on the Lad.

George M. Ehrhott, Jr., 11, preferred charges against his father in West Side court yesterday for horsewhipping him. The boy showed Magistrate Tobias a number of welts across his back and around his legs, and told a story of his father summoning him by telephone to a house in West Ninety-sixth street, the home of an aunt, where he was to be whipped. Ehrhott, the police say, is a brother of 156 Broadway, living at 332 Central Park West.

Mr. Ehrhott admitted the whipping incident, but said his son was only 10. "I love my son," he said, "but he is too much for me. When I called him up and asked him to meet me he refused at first, saying I was a brute. He then came and told me to whip him. I did so, and he said he was sorry. I told him to go to bed and he did so."

COOP'S ACCUSER IN CELL.

Negro Who Said He Was Beaten Fugitive From Georgia.

Charles Matthews, alias Louis Pitta, the negro who was charged with Magistrate Matthews to prefer charges of assault against Patrolman Thomas Crawford of the East 104th street station, was arrested yesterday at the request of Macon, Ga., police, who have been looking for him since he escaped from Camp Prison No. 2 in November, 1916. Matthews admitted, according to detectives, that he was serving a twelve year term for burglary, and had made his escape after ten months by tunneling under his quarters in the prison camp.

He again appeared before Magistrate Matthews, who held him without bail until Sunday, when it is expected the Macon officers will arrive. Matthews said he had been living here since 1911. He was arrested Sunday by Patrolman Crawford after a fight and said the patrolman beat him unnecessarily. Magistrate Simms described his arrest at that time as "unjust, illegal and unwarranted."

BUTCHER KILLS WIFE AND SLASHES SELF

Tragedy Ends Quarrel of a Couple From Germany.

The body of Anna Hoffman, wife of George Hoffman of 553 West Fifty-third street, was found yesterday afternoon lying on the floor of the kitchen with a knife nearly severed from her body. Beside her lay her husband, his throat and wrist slashed deep with a razor, unconscious from loss of blood.

The Hoffman family had been on bad terms for some time and Thursday evening, according to the story of the neighbors, the husband became so abusive that Mrs. Hoffman and her daughter Margaret left the house and returned with a police officer. The latter, after trying to reconcile the couple, finally advised Mrs. Hoffman to obtain a summons for her husband. She did so yesterday morning and the attack followed when she informed him.

Their daughter, Emma, found the two bodies and called Michael Hughes, who lived on the floor above and who said that he had heard the couple quarrelling a few moments before. Hoffman was taken to Bellevue Hospital, a prisoner charged with homicide. Dr. Walter Harvey said he had small chance of recovery.

The couple came from Germany twenty-six years ago. They have six children, two sons and four daughters. Hoffman was employed by Figg & Hulse, butchers, 631 West Fortieth street. The razor was identified by the children as their father's property.

THIS AMBASSADOR WON'T TARRY HERE

Homeward Bound Austrian Much Watched Man.

Haloman Tanya von Tanya, retiring Austrian Ambassador to Mexico, is at the Pennsylvania. He is on his way to Europe and several able bodied secret service men are seeing to it that nothing delays him. He is scheduled to sail in a day or so.

He is accompanied by a secretary and two aids. He enjoys personal liberty almost unlimited just so long as he does not seek to avoid the vigilance of the secret service operatives. He may go to the theatre or wherever else his fancy dictates just so long as the Government agrees.

The Austrian diplomat is quartered in suit 510A. Last night the clerk at the Pennsylvania almost denied that there was a fifth floor in the place. But from the moment the reporter made inquiry for Mr. Tanya von Tanya until he boarded a Brooklyn express for Park Row he was followed deftly by bulky persons who looked only a placard to announce their affiliation with the secret service.

Under the shadow of an extraordinarily large ear the reporter sought telephone communication with 510A. There was no answer. Still supported by sleuths he went to the fifth floor and almost to the door of 510A. Then came the difficult part of verifying the presence of Mr. Tanya von Tanya. A scholarly looking personage stood in front of the door and inquired the reporter's mission. "No, no," he said, "I am not a reporter. I am a friend of the Ambassador here or he is not here. I may tell you, however, that I know of him nothing whatever. He is not here. He is not here. He will be interviewed not at all."

The state of fortune which, according to the testimony, these three reaped in the pursuance of their trade is amazing. Regarding the doctor's income, figures are lacking, but not in the case of the drugstore. Their income, it was testified, jumped 1843 per cent. when they began filling the prescriptions which Dr. Rothman was writing for secret addicts. In the year beginning September, 1914, it was testified, these drugstore took in \$7,000 cash. That was before they began their extensive drug trade.

DAYLIGHT REPEAL PASSED BY SENATE

Vote of 41 to 12 Sufficient to Override an Expected Presidential Veto.

WASHINGTON, Aug. 1.—By the vote of 41 to 12 the Senate this afternoon passed the House bill for repeal of the daylight savings act.

Previously incorporated as a rider in the agricultural appropriation measure, which was promptly vetoed by the President, this measure was introduced at once as a separate bill and passed the House. To-day the Senate, which some days ago had made it unfinished business, took it up and despite the assurance that the President would veto it again, passed by an overwhelming vote.

"There was nothing suggestive of party interest in the vote. Democrats freely voted for the repeal, while the Republicans, with the exception of Senators Lodge (Mass.), Ellkins (W. Va.) and Calder (N. Y.) voted against it. The Senate's vote is strong enough easily to carry the bill over a veto, but the House failed to muster a two-thirds vote for it and it is generally assumed that if vetoed again the vote cannot be overridden."

Calder opposed still. Senator Cummins (Iowa), called up the bill and urged its passage on the ground that in operating daylight saving time the farmer is forced to work to the agricultural communities of organizing fixed hours of work. Mr. Calder replied that it had effected a great saving of fuel, and that it had increased the number of hours within the working day when artificial light had to be used, and that it had increased the number of hours of work in the home. In fact, he couldn't see that it had been useful to anybody except the few who were more hours to play golf and the like."

Mr. Lodge waxed facetious in his speech against repeal, an "impudent" and "silly" suggestion. He said that he had no time to spare for having our time adjusted to the revolutions of the sun, have forgotten that we are living in the dawn of a new era, a day in which the old, in which human nature, weak and erring, is happily to be made over on ideal models. The sun, I beg to remind Senators, is now a back number, like George Washington.

With this little sarcasm, the Senator turned to the serious work of the issue. He believed the bill undertook to undo a useful measure of economy and convenience, and that it would be a disaster to the nation as a whole, he was convinced daylight saving was altogether a good thing.

TWO ARRESTED IN SHOOTING.

Man Attacked at Sheridan Square Escapes Unharmed.

An early morning shooting in Sheridan Square, in which the target, James Cronin, 23, of 56 Perry street, escaped unharmed, resulted in the arrest yesterday of Harry Walcott, 21, of 567 Hudson street, and John Cronin, 24, of 124 Greenwich street, for felonious assault. The police said the trouble started on a river boat Sunday when Walcott and Cronin were drinking. Cronin, who has a reputation in the Hudson street district, the police said, beat both youths. They met Cronin again Thursday, this time in front of the Village Inn in Sheridan Square, and both began peppering revolver shots at him, the police say. All the bullets went wild. Both were held in Elson's in Jefferson Market court for examination.

HOOSIERS GET ARMY PRUNES.

Company at 20 Cents.

WASHINGTON, Aug. 1.—Approximately 1,500,000 pounds of surplus prunes from War Department stock have been sold to the New York City Company of Indianapolis. The prunes were sold at 20 cents a pound and the War Department announced to-day that a price of 20 to 25 cents a pound was received for about three-fourths of the entire lot. Some of the smaller lots sold at from 16 to 19 cents a pound.

SLAYERS GET TWENTY YEARS EACH.

On Pleading guilty to second degree murder for the killing June 7 of Christopher Miles, a bartender, at Greenwich avenue and Ninth street Arthur L. Boyan and John Lynch were sentenced yesterday to twenty years to life imprisonment by Judge McIntyre in General Sessions. The men were indicted with Joseph McCarthy, who admitted guilt Monday and received the same sentence. Miles was murdered after the cafe 1111 had been robbed.

DRUG TRIO GOES TO BIG FORBES

Doctor and Two Druggists Face Maximum Penalty of 32 Years in Prison.

When a jury filed into Judge Rufus Foster's part of the United States District Court late last night and returned a verdict convicting a physician and two druggists of conspiracy to violate the anti-narcotic law terms terminated, according to Federal officials, one of the most important prosecutions ever waged under the drug act.

The defendants, who were found guilty specifically of illegally selling and aiding in the sale of narcotic drugs and of conspiracy gave their names to the clerk of the court who took their records as Solomon Rothman, physician of 107 West Eighty-eighth street, and Louis and William Cohen, druggists of 15 Amsterdam avenue. But Ralph H. Oyler, special agent of the internal revenue, called them "the dope kings."

The state of fortune which, according to the testimony, these three reaped in the pursuance of their trade is amazing. Regarding the doctor's income, figures are lacking, but not in the case of the drugstore. Their income, it was testified, jumped 1843 per cent. when they began filling the prescriptions which Dr. Rothman was writing for secret addicts. In the year beginning September, 1914, it was testified, these drugstore took in \$7,000 cash. That was before they began their extensive drug trade.

According to the testimony adduced by the prosecution, the three were arrested by Peter B. Oney, Jr., special Assistant United States Attorney, while H. B. Dobbins, agent of internal revenue, and other Federal officers presented the mass of evidence collected against the trio. Dobbins was one of the party that arrested the men.

The prosecution of the three was conducted by Peter B. Oney, Jr., special Assistant United States Attorney, while H. B. Dobbins, agent of internal revenue, and other Federal officers presented the mass of evidence collected against the trio. Dobbins was one of the party that arrested the men.

Mr. Oyer declared that since their arrest he had received mail from the men had filled 25,000 prescriptions for narcotics. They are still out on bail of \$7,500 each, awaiting sentence.

715 "Y" WORKERS ARRIVE.

Largest Contingent to Return From Overseas Field.

The largest contingent of Y. M. C. A. workers to return from overseas arrived here last night on the steamer Philadelphia, where they had been landed earlier in the day from the steamship Haverford. Seven hundred and fifteen arrived in Philadelphia, the first time a special steamer for Y. M. C. A. workers has been engaged to bring these workers home.

SHAKERS BECOMING EXTINCT.

Famous Lebanon and Hancock Colonies Dwindling Away.

HANCOCK, Mass., Aug. 1.—Though favored by great wealth, the Hancock colony of Shakers is becoming extinct. The population of the two colonies is dwindling and at the present rate they will soon be extinct. Many of the buildings have been vacated and razed, the colony here now boasts only twenty persons. Only four are men.

CARRIES MAIL 33 YEARS.

John Wells of Sayville Succeeded Father, Also a Carrier.

SAYVILLE, L. I., Aug. 1.—After carrying the United States mail for thirty-three years John Wells of Suffolk county died to-day. His father, John Wells, carried the mail for the same office fifteen years before his son was born. That was some years before the civil war. His father took the little wagon on the wagon seat beside him, where he occupied a place daily till son John was big enough to succeed his father. All told, the job had been in the Wells family nearly sixty years. The service began long before the opening of the South Side Railroad line, and it was a journey of four or seven miles to Lakeland and back twice a day in the delivery of but a single mail pouch. Wells was at one time Sheriff of Nassau county.

EASTERN HONDURAS RISES IN REVOLT

Anti-British Forces Capture La Esperanza.

SAN SALVADOR, Aug. 1.—The eastern part of Honduras has risen in revolt against the Government of President Bertrand, according to a report from Gen. Ferraz at Marcala, Honduras, received here to-day by the *Diario del Salvador*. The despatch said various military positions had fallen into the hands of the revolutionists.

Official Honduran despatches, however, said there was no confirmation of the capture of Comayagua, Nacaome, Brocchini, Carri and other towns by the revolutionists, but it was stated that an outbreak had occurred at the artillery school at Tegucigalpa and that La Esperanza was captured and held for a few days by Col. Tota.

The official reports asserted that Gen. Lopez Gutierrez, after being defeated by the Government forces, had taken refuge on Nicaraguan territory. La Esperanza was reported to be surrounded by a large Government force under Gen. Calles.

The Governments of Guatemala, Nicaragua and Salvador were stated in the Honduran official reports to have concentrated at points within their borders all the Honduran revolutionists seeking refuge in those countries.

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HAYS FAITH IN HIS PARTY

Bluntly States He Will Not Desert Duty in Coming Presidential Fight.

Special Despatch to The Sun. BROOKLYN, Aug. 1.—"I am committed to a definite undertaking and I shall finish that job." With these blunt and purposeful words Will H. Hays, chairman of the Republican National Committee, to-day thrust aside the Republican nomination for Governor of Indiana, which many of the party leaders have been trying to force upon him.

Chairman Hays was speaking at the meeting of the Indiana Republican Editorial Association, which for many years has been the place where matters of policy in the party have been discussed and political booms and busts have been predicted. He was surrounded by a large group of party leaders, many of whom were trying to persuade him to accept the nomination for Governor in 1920.

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